

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9-28-07

-----X
DEIULEMAR SHIPPING SPA,

Plaintiff,

- against -

SPOT ON SHIPPING LTD., a.k.a. SPOT ON
SHIPPING LTD. BVI., a.k.a. SPOT ON, a.k.a.
CLAYTON STAR COMPANY LIMITED, a.k.a.
CLAYTON STAR, SPOT ON (HONG KONG)
GROUP CORPORATION LTD., SPOT ON
(HONG KONG) GROUP LIMITED, SPOT ON
INTERNATIONAL GROUP LIMITED,
SPOT ON HOLDINGS LIMITED, SPOT ON
COMPANY LTD., PEHW ASSET MANAGEMENT
LIMITED, PEHW FUND LIMITED,
ZHANGGANG SHIPPING LIMITED and
MARK GAINS HOLDINGS LIMITED,

Defendants.
-----X

: 07 CV 03820 (VM)

: ECF CASE

: **AMENDED EX PARTE ORDER
FOR PROCESS OF
MARITIME ATTACHMENT**

WHEREAS, on September 25, 2007 Plaintiff, DEIULEMAR SHIPPING SPA., filed an
Verified Second Amended Complaint herein for damages amounting to \$3,498,324.30 inclusive
of interest, costs and reasonable attorney's fees, and praying for the issuance of Process of
Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules
for Certain Admiralty and Maritime Claims of the Federal Rules and Civil Procedure; and

WHEREAS, the Process of Maritime Attachment and Garnishment would command that
the United States Marshal or other designated process server attach any and all of the
Defendant's property within the District of this Court; and

WHEREAS, the Court has reviewed the Verified Second Amended Complaint and the
Supporting Affidavit, and the conditions of Supplemental Admiralty Rule B appearing to exist, it
is hereby

ORDERED, that Process of Maritime Attachment and Garnishment shall issue against all tangible or intangible property belonging to, claimed by or being held for the Defendants by any garnishees within this District, including but not limited to, ABN Amro, American Express Bank, Bank of America, Bank of New York, Citibank, Deutsche Bank, HSBC (USA) Bank, JP Morgan Chase, Standard Chartered Bank, Wachovia Bank, Barclays Bank, Calyon, Chang Hwa Commercial Bank, Ltd., Chinatrust Commercial Bank Ltd. and/or Bank of China, in an amount up to and including **\$3,498,324.30** pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and it is further

ORDERED that any person claiming an interest in the property attached or garnished pursuant to said order shall, upon application to the Court, be entitled to a prompt hearing at which the Plaintiff shall be required to show cause why the attachment and garnishment should not be vacated or other relief granted; and it is further

ORDERED that supplemental process enforcing the Court's Order may be issued by the Clerk upon application without further Order of the Court; and it is further

ORDERED that following initial service by the United States Marshal or other designated process server upon each garnishee, that supplemental service of the Process of Maritime Attachment and Garnishment, and this Order, may be made by way of fax transmission or other verifiable electronic means, including e-mail, to each garnishee; and it is further

ORDERED that service on any garnishee as described above is deemed effective continuous service throughout the day from the time of such service through the opening of the garnishee's business the next business day; and it is further

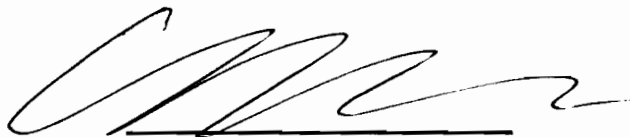
ORDERED that pursuant to Federal Rule of Civil Procedure 5(b)(2)(D) each garnishee

may consent, in writing, to accept service by any other means; and it is further

ORDERED that a copy of this Order be attached to and served with said Process of Maritime Attachment and Garnishment.

Dated: September 27, 2007

SO ORDERED:

A handwritten signature in black ink, consisting of a series of loops and flourishes, positioned above a horizontal line.

U. S. D. J. **Victor Marrero**